



MAIL STOP PATENT
Attorney Docket No. 25352

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SCHRACHT, et al.

Serial No. 10/627,990

Filed: July 28, 2003

Title: **IMPROVED TRANSDERMAL DELIVERY SYSTEM**

TRANSMITTAL LETTER

The Commissioner for Patents
Alexandria, Virginia 22313-1450

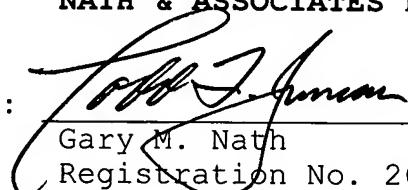
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Information Disclosure Statement
- (3) Form PTO-1449 with fourteen (14) references
- (4) Copy of European Search Report

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:



Gary M. Nath
Registration No. 26,965
Todd L. Juneau
Registration No. 40,669
Customer No. 20529

Date: October 8, 2003

NATH & ASSOCIATES PLLC
1030 15th Street, NW - 6th Floor
Washington, D.C. 20005
GMN/TLJ/lst:IDS.trans



MAIL STOP PATENT
Attorney Docket No. 25352

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

SCHRACHT, et al.

Serial No. 10/627,990

Filed: July 28, 2003

Title: IMPROVED TRANSDERMAL DELIVERY SYSTEM

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
Alexandria, Virginia 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[x] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:

[] i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or

[] ii. a check in the amount required by 37 C.F.R. §1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.

[] Certification report(e) below; and

[] a check in the amount as required by §1.17(p).

[] d. The enclosed statement is being filed pursuant to 37 C.F.R. §1.97(i), for placement in the file.

[] e. Certification [Check one] [Certification is required only if box (b) (i) or box (c) is checked.]

[] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
or

[] Appropriate certification is attached.

[x] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

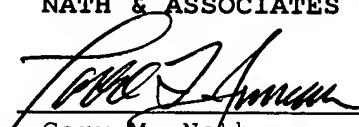
[x] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: 

Gary M. Nath
Registration No. 26,965
Todd L. Juneau
Registration No. 40,669
Customer No. 20529

Date: October 8, 2003

NATH & ASSOCIATES PLLC

1030 15th Street, N.W., 6th Floor

Washington, D.C. 20005

Tel. (202) 775-8383

Fax. (202) 775-8396

GMN/TLJ/las (IDS.revisedTLJ04.08.02)



FORM PTO-1449

INFORMATION DISCLOSURE CITATION

| | |
|-------------------------------|------------------------------------|
| Atty Docket 25352 | Serial No. 10/627,990 |
| Applicant SCHRACHT, et al. | |
| Filing Date July 28, 2003 | Group Art Unit Not yet assigned |

U.S. PATENT DOCUMENTS

| Examiner Initial | | Document Number | Issue Date | Name | Class | Sub-Class | Filing Date |
|------------------|----|---|---------------|-------------|-------|-----------|---------------|
| | AA | 5,601,839 | Feb. 11, 1997 | Quan et al. | | | Apr. 26, 1995 |
| | AB | 5,834,010 | Nov. 10, 1998 | Quan et al. | | | Jan. 3, 1997 |
| | AC | 6,620,429 (Counterpart to DE 198 14 083) | Sep. 16, 2003 | Müller | | | July 30, 2001 |

FOREIGN PATENT DOCUMENTS

| | | Document Number | Date | Country | Class | Sub-Class | Trans-lation |
|--|----|-----------------|----------------|---------|-------|-----------|--------------|
| | AD | WO 99/49852 | Oct. 7, 1999 | WIPO | | | Abstract |
| | AE | 1 256 340 | Nov. 13, 2002 | EP | | | N/A |
| | AE | WO 02/074286 | Sept. 26, 2002 | WIPO | | | N/A |
| | AG | WO 02/26217 | Apr. 4, 2002 | WIPO | | | N/A |
| | AH | WO 98/00126 | Jan. 8, 1998 | WIPO | | | N/A |
| | AI | WO 94/07468 | Apr. 14, 1994 | WIPO | | | N/A |
| | AJ | 2 792 529 | Oct. 27, 2000 | FR | | | Abstract |
| | AK | 100 60 550 | Apr. 18, 2002 | DE | | | Abstract |
| | AL | 198 14 083 | Oct. 14, 1999 | DE | | | No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | |
|----|--|---|
| AM | | Roy, Samir D., et al., "Transdermal Delivery of Narcotic Analgesics: pH, Anatomical, and Subject Influences on Cutaneous Permeability of Fentanyl and Sufentanil". Pharmaceutical Research, Vol. 7, No. 8, pp. 842-847, 1990. |
| AN | | Roy, Samir D., et al., "Controlled Transdermal Delivery of Fentanyl: Characterization of Pressure-Sensative Adhesives for Matrix Patch Design". Journal of Pharmaceutical Sciences, Vol. 85, No. 5, pp. 491-495, May 1996. |

Examiner _____ Date Considered _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.